

Service Date: November 16, 2000

AMENDED FINAL ORDER NO. 6488a

DEPARTMENT OF PUBLIC SERVICE REGULATION  
MONTANA PUBLIC SERVICE COMMISSION  
P.O. Box 202601  
Helena, Montana 59620-2601

IN THE MATTER OF <b>Westwind Trails &amp;</b>	)	Docket No. T-00.51.PCN
<b>Tales, LLP</b> , Cut Bank, Montana, Application	)	
for a Montana Intrastate Certificate of	)	Order No. 6488a
Public Convenience and Necessity.	)	

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On June 12, 2000, **Bob Lytle and Valerie Wadman dba Westwind Trails and Tales**, Cut Bank, Montana, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B - Passengers between all points and places in Cut Bank, Montana and a ten (10) mile radius thereof.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public July 11, 2000. That notice said in pertinent part:

If no written protests are received by July 31, 2000, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. No protests or responses of any kind were received.
4. Subsequent to issuance of Final Order 6488, applicant advised that they were in fact recognized as a Limited Liability Partnership and their name should correctly be shown as Westwind Trails and Tales, LLP.

5. The application was again noticed to the public October 6, 2000, for name clarification purposes. No protests were received to the second notice.
6. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

### CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.
2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.
3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

### ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on Monday, the 6th day of November, 2000 there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-00.51.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application **of Westwind Trails and Tales, LLP**, Cut Bank, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B - Passengers between all points and places in Cut Bank, Montana and a ten (10) mile radius thereof.

IT IS FURTHER ORDERED that a full, true, and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 6<sup>th</sup> day of November, 2000 by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

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DAVE FISHER, Chairman

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NANCY McCaffree, Vice Chair

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BOB ANDERSON, Commissioner

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GARY FELAND, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Amended Final Order issued in Docket T-00.51.PCN in the matter of Westwind Trails and Tales LLP, Cut Bank, Montana has today been sent to all parties listed.

MAILING DATE: November 16, 2000

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FOR THE COMMISSION

FIRST CLASS MAIL

Bob Lytle and Valerie Wadman  
dba Westwind Trails and Tales  
PO Box 1418  
Cut Bank, MT 59427

AS ITS INTERESTS MAY APPEAR:

Montana Consumer Counsel  
616 Helena Avenue  
P.O. Box 201703  
Helena, MT 59620-1703